THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P.No. 12464 of 1996

DATE: 14-11-2006

Between:

Food Corporation of India, a Class-IV
Employees Union, Visakhapatnam,
Rep., by its General Secretary Sri K. Gopalam and three others.

..Petitioner.

And

The Food corporation of India,
Rep., by its Managing Director,
New Delhi and four others.

..Respondents

THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P.No. 12464 of 1996

O R D E R:

Food Corporation of India Class-IV Employees Union has filed this writ petition questioning the action of the respondents in rejecting the application of petitioner Nos. 2 to 4 for providing appointments on compassionate grounds.

Petitioner No.1 is a Union. The petitioner states that petitioner Nos. 2 & 3 and 4 are the sons and wife of deceased employees, who worked as Gunny Watchmen. Pursuant to the death of the deceased employees, they made representations seeking appointment on compassionate grounds, but the same were rejected on the ground that the deceased were engaged under No Guaranteed Wage Category. The petitioners state that a settlement was reached between petitioner No.1 and the respondents on 01.11.1988 under Section 18(1) of the Industrial Disputes Act, 1947, which *inter alia* provided for absorption of Gunny Watchmen. Despite such agreement, the respondents have not absorbed the services of the deceased employees, and they died even before their absorption. Since the deceased employees worked with the respondents for more than two decades without absorption, the petitioners state that the respondents should provide appointment to petitioner Nos. 2 to 4 on compassionate grounds, and though petitioner No.1 made

representations dated 22.12.1995 and 13.02.1996, requesting the respondents to provide compassionate appointment to petitioner Nos. 2 to 4, till date no action has been taken thereon by the respondents. Hence, the petitioners filed the present writ petition.

Even though the writ petition was admitted as far back as on 01.07.1996, till date no counter-affidavit has been filed nor anybody represents them.

Heard the learned counsel for the petitioners.

Having regard to the fact that the representations dated 22.12.1995 and 13.02.1996, said to have been made by petitioner No.1 are said to be pending before the respondents, I deem it appropriate to dispose of the writ petition with the following directions:

Respondent Nos. 2 and 3 are directed to consider and dispose of the representations dated 22.12.1995 and 13.02.1996 of petitioner No.1, if not already disposed of, and pass appropriate orders thereon, expeditiously, preferably within a period of three months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

N.V. RAMANA, J

Dated: 14 -11-2006
PVKS/*